



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/738,247	12/15/2000	Krishna Kishore Yellepeddy	AUS920000947US1	2751

65362 7590 07/15/2008

HAMILTON & TERRILE, LLP

IBM Austin

P.O. BOX 203518

AUSTIN, TX 78720

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 07/15/2008

Please find below and/or attached an Office communication concerning this application or proceeding.

Notification of Non-Compliant Appeal Brief (37 CFR 41.37)	Application No. 09/738,247	Applicant(s) YELLEPEDDY ET AL.	
	Examiner CARL COLIN	Art Unit 2136	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 27 May 2008 is defective for failure to comply with one or more provisions of 37 CFR 41.37.

To avoid dismissal of the appeal, applicant must file an amended brief or other appropriate correction (see MPEP 1205.03) within **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer.
EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.

1. ☐ The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.
2. ☐ The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).
3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).
4. ☒ (a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).
5. ☐ The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi)).
6. ☐ The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).
7. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).
8. ☐ The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner **and relied upon by appellant in the appeal**, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).
9. ☐ The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).
10. ☒ Other (including any explanation in support of the above items):

See Continuation Sheet.

/Carl Colin/
Primary Examiner, Art Unit 2136

Continuation of 10. Other (including any explanation in support of the above items): The brief does not list each independent claim separately and for each independent claim, map out each limitation with the corresponding page and line number in the specification. For instance, with respect to claim 1, appellant cites page 5, line 1 to page 6 line 11 for describing a request implementation software that implements a response to the request regarding a digital certificate. However, in the cited passage, there is no mention of request nor request for digital certificate, nor implementation software, nor a response to a propagated event object to say the least. Appellant has not provided references from the specification by page and line number to each claimed limitation as claimed. In addition, simply mentioning a figure or reference character does not explain the claimed limitation as claimed. Appellant states the subject matter of claims 1, 13, and 35 maps to figure 3 without a concise explanation how each structure in the claim maps to the figure and where the specification provides support for each function as claimed. The same applies to claim 44. For instance, Appellant identifies implementation software as 300, whereas the specification indicates a PKI system as 300. Appellant's summary in the appeal brief is not consistent with the specification. Also appellant provides a list of reference pages (see page 4) that are not concise and that do not map either each claimed limitation as claimed with each page and line number.